

### **REMARKS**

Claims 1-16 remain pending in the present application. Claims 1, 2 and 4 have been amended. Claims 11-16 are new. Basis for the amendments and new claims can be found throughout the specification, claims and drawings originally filed.

### **SPECIFICATION**

The abstract of the disclosure is objected to because the last sentence thereof describes the purported merits of the inventive apparatus. Applicants have deleted the last sentence of the Abstract to overcome the objection. Withdrawal of the objection is respectfully requested.

### **CLAIM OBJECTIONS**

Claims 1, 2, 6 and 7-10 are objected to because of the following informalities: "a refrigerant cycle equipment" [claim 1, lines 2-3] should be replaced with "refrigerant cycle equipment" for improved grammatical correctness. Claim 1 has been amended to overcome the objection. Withdrawal of the objection is respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 112**

Claims 1, 2, 6 and 8-10 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claim 1 has been amended to overcome the rejection. Reconsideration of the rejection is respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 102**

As best can be understood in view of the indefiniteness of the claims, Claims 1 and 2 are rejected under 35 U.S.C. § 102(b) as being anticipated by Hunzinger. Claim 1 has been amended to define that the refrigerant pipe is arranged in the engine compartment adjacent the front side member. The original Claim 1 defines the pipe as being along the front side member.

Hunzinger discloses pipe sections that run generally perpendicular to a fire wall 10 and thus they have been interpreted as running parallel to or along a front side member which typically extends perpendicular to the fire wall. Claim 1 has been amended to define the pipe as being adjacent the front side member. There is nothing in Hunzinger which discloses, teaches or suggests the left-right positioning of the pipes in the vehicle. Therefore, Hunzinger does not disclose, teach or suggest the pipes as being disposed adjacent the front side member as is defined in amended Claim 1.

Thus, Applicant believes Claim 1, as amended, patentably distinguishes over the art of record. Likewise, Claim 2, which depends from Claim 1, is also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

### **REJOINDER**

Applicant respectfully requests the rejoinder of withdrawn Claims 3-5 and 7.

### **NEW CLAIMS**

New Claims 11-16 are dependent claims which Applicant believes properly further limit their respective base claim.

### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: January 15, 2007

By: 

Michael J. Schmidt, 34,007

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

MJS/pmg